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(54) Title: USE OF A PPARALPHA AGONIST AND METFORMIN FOR DECREASING THE SERUM TRIGLYCERIDES

(57) Abstract: The present invention relates to the combined use of a PPARalpha agonist and metformin for decreasing serum triglycerides.

WO 2004/047831 A3

INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP 03/13302

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K31/192 A61K31/216 A61K31/195 A61P3/00 A61K31/155

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, CHEM ABS Data, EMBASE, BIOSIS, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 99/40904 A (MERCK PATENT GMBH ; BONHOMME YVES (FR); BRIET PHILIPPE (FR)) 19 August 1999 (1999-08-19) table 1 & EP 1 054 665 A 29 November 2000 (2000-11-29) cited in the application	1,4-17
X	DE SILVA S.R. ET AL: "Metformin and clofibrate in maturity onset diabetes mellitus: Advantages of combined treatment." DIABETE ET METABOLISME, 5/3 (223-229). CODEN: DIMEDU, 1979, XP008014771 table IB ----- -/-	1,4,6-17

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

G document member of the same patent family

Date of the actual completion of the international search

12 July 2004

Date of mailing of the international search report

19/07/2004

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INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP 03/13302

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	CHEMICAL ABSTRACTS, vol. 133, no. 15, 9 October 2000 (2000-10-09), Columbus, Ohio, US; abstract no.: 202853, HUO, JIAXIN ET AL: "Effect of metformin on the lipid metabolism in patients with hyperlipidemia complicated with insulin resistance" XP002237098 abstract & GUANGXI YIKE DAXUE XUEBAO, 16(6), 761-763, 1999,	1,4-17
X	FR 2 275 199 A (CERPHA) 16 January 1976 (1976-01-16) page 5, line 26 - line 28	1,3,4, 6-17
X	WO 98/05331 A (LIGAND PHARM INC) 12 February 1998 (1998-02-12) claims 1-10	1,3-17
X	FR 2 796 940 A (LIPHA) 2 February 2001 (2001-02-02) page 1, line 17 - page 2, line 18	2,4,6-17
X	DE 23 57 875 A (HURKA WILHELM) 19 September 1974 (1974-09-19) page 2, paragraph 3 - paragraph 4	3,4,6-17

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Although claims 11-17 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

Continuation of Box I.2

Claims Nos.: -

Present claims 1-17 relate to a compound defined by reference to desirable characteristics or properties, namely "PPAR alpha agonist", "fibric acid derivative or a pharmaceutically acceptable salt or ester of said fibric acid derivative" and "ester of fenofibric acid". The claims cover all compounds having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT for only a very limited number of such compounds. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the compound by reference to its pharmaceutical profile. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the combination of metformin with gemfibrozil, fenofibrate, benzafibrate, clofibrate, ciprofibrate or fenofibric acid.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/EP 03/13302

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: —
because they relate to subject matter not required to be searched by this Authority, namely:
Although claims 11-17 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☒ Claims Nos.: —
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

see additional sheet

1. ☒ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☒ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP 03/13302

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INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No

PCT/EP 03/13302

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